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12 IN THE UNITED STATES DISTRICT COURT
13 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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15 UNITED STATES OF AMERICA,
16 Plaintiff,
17 HAROLD AUSTIN,
18 Defendant.
19 _____ /

20 No. CR 92-00196-SBA
21 ORDER AND STIPULATION
22 CONTINUING STATUS/SETTING FOR
23 SUPERVISED
24 RELEASE VIOLATION

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26 The government and Defendant Harold Austin hereby stipulate as follows:
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1. Defendant had been scheduled for a status/setting of supervised release
2. On November 2, 2009, all parties discovered that Mr. Austin's case had not
made Judge Armstrong's calendar. In addition, the defense has yet to receive the police report,
or other documents related to the allegation of violation of supervised release.
3. Defendant's attorney spoke with Mark Messner, the US probation officer
assigned to this case. Mr. Messner indicated he is available on December 8, 2009.

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38 STIPULATION AND ORDER
39 CR 92-00196 SBA

4. The parties stipulate that the status/setting hearing currently scheduled for November 3, 2009 be vacated and rescheduled for December 8, 2009, 2009 at 9:00 a.m. to allow both parties time to review the documents connected to the alleged supervised release violation.

IT IS SO STIPULATED.

DATED: 11/3/09

/S/
WADE RHYNE
Assistant United States Attorney

DATED: 11/3/09

/S/
DAVID BILLINGSLEY
Attorney for Harold Austin

IT IS SO ORDERED.

DATED: 11/20/09

Saundra B Armstrong
THE HON. SAUNDRA B. ARMSTRONG
UNITED STATES DISTRICT COURT
JUDGE

**STIPULATION AND ORDER
CR 92-00196 SBA**